

ATTACHMENT A
Remarks

Claims 1, 3, 4 and 6-20 are pending in the present application. By this Amendment, Applicant has amended claims 1, 3, 4 and 6-20, and canceled claims 2 and 5. Applicant respectfully submits that the present application is in condition for allowance based on the discussion which follows.

Claims 5-9 and 11 were rejected under 35 U.S.C. § 112, second paragraph. By this Amendment, Applicant has amended claims 6-9 and 11 and canceled claim 5, thereby obviating the rejection to the claims under 35 U.S.C. § 112, second paragraph.

Claims 1, 2, 11, 12 and 16-19 were rejected under 35 U.S.C. § 102(e) and claims 13 and 15 were rejected under 35 U.S.C. § 103(a), both in view of Nobles (U.S. Patent Application Publication No. 2002/0128598). However, claims 5-9 were indicated as being allowable if rewritten in independent form and rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph.

In order to move this case forward to allowance, Applicant has amended claim 1 to include the subject matter of claims 2 and 5, thereby claim 1 (currently amended) corresponds to claim 5 rewritten in independent form. Further, claim 1 (currently amended) has been amended to address the 35 U.S.C. § 112, second paragraph rejections, as discussed above. Finally, by this Amendment, Applicant has canceled claims 2 and 5 and renumbered various dependent claims accordingly.

Based on the foregoing, Applicant respectfully submits that claim 1 (currently amended) is in condition for allowance. Further, Applicant respectfully submits that claims 6-9 and 11-19 now recite allowable subject matter as depending directly or indirectly from allowable claim 1 (currently amended).

Finally, Applicant respectfully requests that previously withdrawn claims 3, 4, 10 and 20 be rejoined to the present application. With regard to claims 3, 4 and 10, these claims depend directly or indirectly from allowed claim 1 (currently amended) and, therefore, in accordance with 51 C.F.R. § 1.141 and MPEP § 821.04(b), claims 3, 4 and 10 should be rejoined and found allowable as being species of an allowable generic claim 1. With regard to method claim 20, by this Amendment, claim 20 has been amended to include the subject matter of claim 1 (currently amended), whereby claim 20 (currently amended) recites a method of using the device of allowable claim 1 (currently amended). Accordingly, claim 20 (currently amended) recites a method or process of using the device of allowable claim 1 (currently amended). Therefore, in accordance with 37 C.F.R. § 1.41 and MPEP § 821.04(b), claim 20 (currently amended) should be rejoined and found allowable.

Applicant reserves the right to file a continuation application for subject matter originally presented and claimed in the present application.

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance.

END REMARKS